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November 18, 2005

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Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: *Ex Parte* Notice in IB Docket Nos. 05-220, 05-221, 02-364, and  
IB File No. SAT-MOD-20050301-00054**

Dear Ms. Dortch:

On November 18, 2005, the undersigned, Counsel to Globalstar LLC, and Anthony J. Navarra, Globalstar's President, met with, Emily Willeford and Fred Campbell from the Office of Chairman Kevin Martin. The purpose of the meeting was to discuss Globalstar's comments filed in IB Docket No. 02-364, Globalstar's pending application for ancillary terrestrial component ("ATC") authority, and Globalstar's comments filed in the Commission's 2 GHz Public Notice proceedings, IB Docket Nos. 05-220 and 05-221. The handout distributed in the meeting is attached to this letter.

Pursuant to Sections 1.49(f) and 1.1206(b) of the Commission's rules, a copy of this letter has been filed electronically.

Respectfully Submitted,



Josh L. Roland  
Counsel to Globalstar LLC

cc: Emily Willeford  
Fred Campbell  
Anthony J. Navarra  
William F. Adler



# Globalstar LLC

November 17 -18, 2005



## **Pending Matters Will Affect Globalstar's Prospects for Long Term Success - Big LEO Band (1)**

- The pending Further Notice in IB Docket No. 02-364 proposes additional sharing of Big LEO Band
- Globalstar cannot afford further erosion of its 1.6/2.4 GHz spectrum allocation
  - Globalstar's business continues to grow and more fully use its spectrum
    - Restricting spectrum at this time might restrict Globalstar's potential
  - In order to share with Radio Astronomy, Globalstar requires spectrum above 1615
    - Globalstar users within 100 km of a Radio Astronomy site cannot use frequencies below 1615
  - Globalstar requires spectrum above 1616 to provide its aviation services
    - See RTCA DO 262
  - U.S. government agencies want priority restoration service which cannot be provided in shared spectrum
  - Globalstar and business partners are innovating rapidly - new products not based on standard phone require discrete blocks of spectrum



## **Pending Matters Will Affect Globalstar's Prospects for Long Term Success - Big LEO Band (2)**

- Iridium has more spectrum than it needs to grow its system
- Globalstar presented un rebutted evidence in IB Docket No. 02-364 that Iridium's capacity limitations are the result of design or operational shortcomings, not a spectrum shortage
  - The public interest does not warrant handicapping Globalstar to cure Iridium's technical problem
- Iridium's inability to allocate and use spectrum nationally or regionally, acknowledged only in 2003, contributes to the inefficient use of its spectrum globally
- A formal sharing agreement for the 1618.25-1621.35 MHz band segment is unlikely absent FCC mandate
  - Iridium told Globalstar that Iridium was not interested in creating a formal sharing agreement in the summer of 2003

## **Pending Matters Will Affect Globalstar's Prospects for Long Term Success - 2 GHz Band**

- The Commission must retain 40 MHz of 2 GHz spectrum for MSS and reinstate Globalstar's 2 GHz license
  - Without Globalstar, there will be no U.S.-licensed 2 GHz MSS system!
    - ICO (U.K.) and TMI/TerreStar (Canada) are foreign-licensed
    - Inmarsat, which is not entitled to file a 2 GHz reservation of spectrum in any event, will presumably be foreign-licensed (U.K.)
  - Globalstar has made a strong case for reinstatement on both legal and policy grounds
  - Chairman Martin expressed serious doubts about the Commission's decision in his Separate Statement
  - Globalstar has presented a thoughtful and achievable proposal for constructing a 2 GHz satellite
  - Globalstar is in active discussions with two satellite manufacturers